

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

DOUGLAS BISHOP, as an individual, and as Personal Representative for the ESTATE OF QUINCY BISHOP, and on behalf of B.G.B. and M.D.B, minors, VICTORIA BISHOP, as an individual, CORY BISHOP and KIARA BISHOP and the marital community comprised thereof;

Plaintiffs,

V.

CITY OF BUCKLEY, a political subdivision of the State of Washington d/b/a Buckley Police Department, ARTHUR FETTER, an individual and KURT ALFANO, an individual;

Defendants.

No. 3:22-cv-05759 KKE

ORDER GRANTING MOTION TO APPROVE MINOR SETTLEMENT TRUSTS

THIS MATTER came before the Court on Plaintiffs' unopposed motion for approval of minor settlement trusts. Dkt. No. 92. On June 24, 2024, the Court issued an order approving minor settlements. Dkt. No. 89. Pursuant to

1 the Court's order, Plaintiffs now provide the draft trust instruments for the
2 benefit of minor plaintiffs B.G.B. and M.D.B. Dkt. Nos. 93-1, 93-2.

3 The draft trust instruments were prepared by Zebular Madison of Madeira
4 Legal. The named trustee is Madeira Legal, PLLC, a law firm specializing in
5 the areas of estate planning and trust administration. The funds will be available
6 for health, education, maintenance, and support as needed and at the trustee's
7 discretion until age 25. At age 25, the minors may seek to terminate the trusts
8 and are free to do so indefinitely at any time following the respective minors'
9 25th birthdays.

10 Pursuant to its "special duty, derived from Federal Rule of Civil
11 Procedure 17(c), to safeguard the interests of litigants who are minors[,"] the
12 Court is required to conduct an inquiry to determine whether the settlement
13 serves the best interest of the minor Plaintiffs. *Robidoux v. Rosengren*, 638 F.3d
14 1177, 1181 (9th Cir. 2011). The Court previously approved the settlements and
15 the proposed trust instruments create a comprehensive and beneficial financial
16 plan for the proceeds of the settlement.

17 Accordingly, **IT IS HEREBY ORDERED:**

18 1. Plaintiffs' motion for approval of minor settlement trusts (Dkt. No.
19 92) is hereby **GRANTED**.

20 2. Counsel for Plaintiffs shall file the proposed draft trust instruments

with Pierce County Superior Court **on or before October 18, 2024**. Counsel for Plaintiffs shall file a notice of compliance, attaching documentation that the proposed trust instruments were so filed **on or before October 25, 2024**.

3. Counsel for Plaintiffs shall fund each trust in the amount of \$500,000, less the payment of the invoice of the Court-Appointed SGAL and attorney drafting the trust as soon as practicable. Counsel for Plaintiffs shall file a notice of compliance, attaching documentation that indicates that the funds were so paid within one week of payment.

DATED this 11th day of October, 2024.

Kimberly L. Emerson

Kymberly K. Evanson
United States District Judge